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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,121	02/28/2002	Steven G. Henry	10017580-1	4210

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EXAMINER

JEAN GILLES, JUDE

ART UNIT PAPER NUMBER

2143

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/087,121	Applicant(s) HENRY, STEVEN G.	
	Examiner Jude J. Jean-Gilles	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/15/05</u> | 6) <input type="checkbox"/> Other: _____ |

[Handwritten signature]

DETAILED ACTION

This office action is responsive to communication filed on 02/28/02.

Response to Amendment after Final

1. This action is responsive to the RCE application filed on 12/15/2005. Claims 1 and 9-20 have been amended. Claim 21 has been added. Claim 8 has been cancelled. Claims 1-7 and 9-21 are pending. Claims 1-7 and 9-21 represent a method and apparatus for a "Methods and Apparatus for archiving data processed by a digital sender device".

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claim 1-3, 7, 9, 11, 12, and 16-21** are rejected under 35 U.S.C. 102(e) as being unpatentable by Czyszczewski et al (Czyszczewski), U.S. Patent No. 6,980,312 B2.

Regarding claim 1, Czyszczewski discloses a method for use with a unitary, the method comprising :

With a unitary device comprising therein logic, a user interface, a scanning

Mechanism, a communication interface, and a removable data storage mechanism, wherein said logic is operatively coupled to said user interface to receive an input recipient electronic mail address, to said scanning mechanism to receive at least scanned object data obtained by optically scanning an object, to said communication interface to send an electronic mail message that includes at least a portion of scanned object data to a remote device associated with said recipient electronic mail address. and to said removable data storage mechanism to access therethrough a removable data storage media (fig. 1, fig.8 and fig. 9A; column 4, lines 66-67; column 5, lines 1-27; column 11, lines 32-50) when present:

receiving a removable data storage media in said removable data storage mechanism (column 6, lines 14-26);

selectively operatively coupling said removable data storage media to said logic; and storing at least an archival copy of at least said electronic mail message data sent via the communication interface on said removable data storage media (fig. 1, fig.8 and fig. 9A; column 4, lines 66-67; column 5, lines 1-27; column 11, lines 32-50).

Regarding claim 2, Czyszczewski discloses the method as recited in Claim 1, wherein said removable data storage media is a writable optical disc (column 6, lines 14-26);

Regarding claim 3, Czyszczewski discloses the method as recited in Claim 1, wherein said scannedobject data further includes a plurality of different versions of said scanned objectdata (column 10, lines 51-67).

Regarding claim 7, Czyszczewski discloses the method as recited in Claim 3, wherein said plurality of different versions of said scanned object data includes a first version and a second version, said second version being a data compressed version of said first version (column 10, lines 51-67).

Regarding claim 11, Czyszczewski discloses a unitary device comprising:
a data storage mechanism configurable to access a removable data storage media (column 6, lines 14-26),
an optical scanning mechanism configurable to optically scan at least one object and produce corresponding scanned object data (fig. 1, item 20; column 5, lines 45-67),
a communication interface configurable to operatively connect to at least one other device over at least one network (column 5, lines 1-54),
a user interface configurable to receive user inputs (column 7, lines 52-67; column 8, lines 28), and

logic operatively coupled to said data storage mechanism, said optical scanning mechanism, said communication interface, and said user interface, wherein said logic is configured to combine recipient electronic mail address data received through said user interface with at least a portion of said scanned object data to form electronic mail message data that is then output by said communication interface, and wherein said logic is further configured to selectively archive at least a portion of said electronic mail message data by providing said portion of said electronic mail message to said data

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storage mechanism for storage on said removable data storage device (fig. 1, fig.8 and fig. 9A; column 4, lines 66-67; column 5, lines 1-27; column 11, lines 32-50).

Regarding claim 12, Czyszczewski discloses the unitary device as recited in Claim 11, wherein said scanned object data further includes a plurality of different versions of said scanned object data (column 10, lines 51-67).

Regarding claim 16, Czyszczewski discloses the unitary device as recited in Claim 12, wherein said plurality of different versions of said scanned object data includes a first version and a second version, said second version being a data compressed version of said first version (column 10, lines 51-67; column 7, lines 52-67; column 8, lines 28).

Regarding claim 17, Czyszczewski discloses the unitary device as recited in Claim 16, wherein said logic is configured to include said second version within said electronic mail message data that is output by said communication interface (column 10, lines 51-67; column 7, lines 52-67; column 8, lines 28).

Regarding claim 18, Czyszczewski discloses the unitary device as recited in Claim 16, wherein said logic is configured to include said first version within said portion of said electronic mail message data that is stored by said data storage mechanism (column 10, lines 51-67; column 7, lines 52-67; column 8, lines 28).

Regarding claim 19, Czyszczewski discloses the unitary device as recited in Claim 11, wherein said electronic mail message data further includes at least one type of data selected from a group of types of data comprising, timestamp data, authentication related data, device identifying data, control data, the data, graphics

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data, and image data (fig. 1, fig.8 and fig. 9A; column 4, lines 66-67; column 5, lines 1-27; column 11, lines 32-50).

Regarding claim 20, Czyszczewski discloses the unitary device as recited in Claim 11 further comprising: a printer mechanism operatively coupled to said logic, and wherein said logic is further configured to cause said printing mechanism to print out at least a portion of said electronic mail message data(column 5, lines 1-54),

Regarding claim 21, Czyszczewski discloses the method as recited in Claim 1, further comprising: causing said logic to verify that access permission exists prior to storing at least said electronic mail message data on said removable data storage media based on inputted data received via said user interface (fig. 1, fig.8 and fig. 9A; column 4, lines 66-67; column 5, lines 1-27; column 11, lines 32-50).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 4-6, 10, and 13-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Czyszczewski in view of Ferguson et al (Ferguson) U.S. Patent No. 6,810,340 B1.

Regarding claim 4: Czyszczewski discloses the invention substantially as claimed. Czyszczewski teaches the method as recited in Claim 3 as specified above,

but does not specifically teach said plurality of different versions of said scanned object data that include a first resolution version and a second resolution version, said second resolution version having a lower level of resolution than said first resolution version.

In the same field of endeavor, Ferguson teaches “When a color image containing text is to be scanned, the user can specify that the color image is to be scanned using a two-pass scanning process. The first pass is a low resolution scan which converts the document into a desired image format, e.g., TIFF, JPEG etc. The second pass is a higher resolution pass that is conducted on a non-color or non-gray scale version of the image. This second scanning pass is used to obtain the position of the meta-text described above.” [see Ferguson; column 10, lines 60-67].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Ferguson’s teachings different versions of said scanned object data that include a first resolution version and a second resolution version with the teachings of Czyszczewski, for the purpose of improving the ability of a network device “...a computer-based electronic document-management program that has the ability to efficiently automate the process of identifying, indexing, archiving and retrieving documents to and from various archived storage media would be extremely desirable.” as stated by Ferguson in lines 58-63 of column 1. By this rationale, **claim 4** is rejected.

Regarding claim 5: The combination Czyszczewski-Ferguson discloses the method as recited in Claim 4, wherein said portion of said scanned object data includes said second resolution version [see Ferguson; column 10, lines 60-67].

Regarding claim 6: The combination Czyszczewski-Ferguson discloses the method as recited in Claim 4, wherein said portion of said scanned object data includes said first resolution version [see Ferguson; column 10, lines 60-67].

Regarding claim 9: The combination Czyszczewski-Ferguson discloses the method as recited in Claim 7, wherein storing an archival copy of said at least the electronic mail message data sent via the communication interface on said removable data storage media further includes:

storing at least two of said plurality of different versions of said scanned object data [see Ferguson; column 10, lines 60-67].

Regarding claim 10: The combination Czyszczewski-Ferguson discloses the method as recited in Claim 4, wherein said electronic mail message data further includes at least one type of data selected from a group of types of data comprising, timestamp data, authentication related data, device identifying data, control data, text data, graphics data, and image data (see Czyszczewski; fig. 1, fig. 8 and fig. 9A; column 4, lines 66-67; column 5, lines 1-27; column 11, lines 32-50).

Regarding claim 13: The combination Czyszczewski-Ferguson discloses the unitary device as recited in Claim 12, wherein said plurality of different versions of said scanned object data includes a first resolution version and a second resolution version, said second resolution version having a lower level of resolution than said first resolution version [see Ferguson; column 10, lines 60-67].

Regarding claim 14: The combination Czyszczewski-Ferguson discloses the unitary device as recited in Claim 13, wherein said logic is configured to include said

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second resolution version within said electronic mail message data that is output by said communication interface (see Czyszczewski; fig. 1, fig. 8 and fig. 9A; column 4, lines 66-67; column 5, lines 1-27; column 11, lines 32-50).

Regarding claim 15: The combination Czyszczewski-Ferguson discloses the unitary device as recited in Claim 13, wherein said logic is configured to include said first resolution version within said portion of said electronic mail message data that is stored by said data storage mechanism [see Ferguson; column 10, lines 60-67].

Conclusion

7. Applicant's amendment necessitated the new ground(see Bhatia; s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE NON-FINAL**. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (see Bhatia; 571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (see Bhatia; 571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (see Bhatia; 571) 272-9000.

Jude Jean-Gilles

Patent Examiner

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JJG



January 06, 2006



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